$10

1942-

Department of Revenue

OFFICE Board of Revenue

STATION Madras

Proc. No. 762

Dated 20-3-42

DESPATCHED
24 MAR 1942

Pages in the file cf. 22 nf. 5

(SUBJECT.)

Irrigation - (S. Kanara) - Karkal Tk - Belvai vge - Surv. Nos 145/1, 300/1 - Interference of the P.W.D. Board with water supply - repair of flume - orders passed - Communicated

OFFICE OF THE BOARD OF REVENUE
A 3022
8 AUG 1941
MADRAS

GOVERNMENT OF MADRAS

SECY.
8-8-1941.

Revenue Department.

Assessment - Land Revenue - (South Kanara) - Karkala taluk - Belvai village - S.Nos.145/1 and 300/1 - Reduction - Failure on the part of the District Board, South Kanara to repair the sluice.

Read:- Petition from Sri.K.Manjunatha Bhagavatha, dated the 6th July 1941.

Endorsement No.1848-E/41-2, dated the 4th August 1941.

Referred to the Board of Revenue for report in consultation with the President, District Board, South Kanara.

A.J.Platt,
Under Secretary to Government.

To the Board of Revenue, with enclosures.
Copy to the President, District Board, South Kanara, with enclosures.

--

Forwarded.
(By Order)

Superintendent.

m.p.

3

(Copy of petition)

To

The Secretary to the Government of Madras,
Revenue Department.

Humble memorial of K. Manjunatha Bhagavatha,
son of Annappa Bhagavatha, Karkala village,
Karkala Taluk, S.K. District.

Dated 6--7--1941.

Most respectfully Sheweth,

That in the matter of his complaint made to the Government regarding the damage caused to the sluice underneath the road serving to lead water to his fields S.No.145/1 and 300/1 of Belvai village of Karkala Taluk by the District Board of South Kanara, in the process of widening the road, the memorialist was fortunate to get redress at the hands of the Government who were pleased to pass orders G.O. 1803 dated 27-7-1940 to the effect that the District Board should rebuild the sluice concerned.

pp48-50 of (G)

2. That the memorialist seeing that the District Board did not proceed with the work of rebuilding of the sluice addressed petition dated 4-2-41 to the President District Board reminding him of the urgency of the matter. But to his painful surprise, the memorialist gets the endorsement L.Dis.4218/41 dated 17-6-41 denying the interference of the District Board with the sluice in question and directing that in case the memorialist wants to put up a fresh sluice, he will have to pay the cost of the same. A true copy of the endorsement is enclosed for kind perusal.

p3 of

do

3. That the Government had in their abovementioned order clearly stated that the District Board should rebuild the sluice which was damaged in the course of the widening of the road. But the District Board has chosen to defy such order and remain unconcerned. How the District Board dared to challenge that order is a mystery.

4 of (G)

4. That the memorialist begs to submit that if the order of the Government were found to be one fit to be ignored or overlooked, the President, District Board, should have then and there intimated his determination to the memorialist who would have taken steps to ~~xidi~~ vindicate his point. The utter silence of the President, District Board, by shelving the Government order, has tended to put the memorialist to the loss to be incurred by at least partial failure of crop in the 2nd crop season for another year. It was for the President District Board to express his views in the matter in answer to the Government order at least as a matter of Official etiquette. Now that the President District Board should after receipt of memorialist's reminder to expedite the reconstruction of the sluice leisurely pass an endorsement stating his non-interference with the sluice at this distant stage, is inconceivable.

do

5. That memorialist has been subjected to this hardship and loss in consequence of the indifferent and hostile attitude of the President of the District Board for thepast four years and as if this sort of long suffering were not enough the President District Board has ventured to say that the burden of cost of reconstruction of the sluice might be shifted on to the shoulders of the poor memorialist.

4

6. That memorialist may not be understood as having x cast aspersions at the President District Board or that the tone of the language is harsh. The memorialist has expressed his feelings in a suffering of mind and deserves to be excused..

7. That memorialist submits that he is not liable to pay the cost of reconstruction of the sluice nor is he in a position to bear it. It is not contemplated in the G.O. either. pp48-50 of G

8. It is therefore prayed that the Government be graciously pleased to insist on the District Board to take up the work of rebuilding of the sluice without further delay.

Your most obedient servant,

Sd. xx
Memorialist.

****

-Sri K.Vittal Shetty,
President, District Board, South Kanara.

--

L.Dis.4218/41 Dated 17-6-1941.

Endorsement on the petition of Sri K.Manjunatha Bhagavatha of Karkala village dated 4-2-1941. not read

The petitioner is informed that the District Board has not interfered with the sluice as stated by him. If we wants to put up fresh sluice under the road to improve the irrigation facilities, he will have to pay the cost of the same. If he agrees an estimate will be prepared.

Sd. M.Sunder Rao,
For President.

True copy forwarded by order/

Sd. ..
Superintendent.

To Sri K.Manjunatha Bhagavatha son of K. Annappa Bhagavatha, Karkal,
Copy to the District Board Engineer, S.Kanara, with reference to his D.Dis.10573 DE/40 dated 5-6-1941 and N-Dis.2130 DE/41/5-6-1941.

Subject :- Same as at p14

A-3022/41 ——— (A) - pp1-4 c

15 AUG 1941

Ref :- A 3022/41-1 of 12-8-41

Referred to the Collr of S. Kanara for early remarks in consultation with the Protocol-

DE-Q2

14/8/41

gm/S.A
14-8-41

8/11-8

I Secy

11.8.41.

ER from Govt (A 3938 41)

T. E. R. to Govt 6 X 41

5

C.F. 98.

BS

3/9/1941

REMINDER.

Rev Department.

(L. R.) Branch.

To The Collector of S. Kanara

I ~~have the honour to invite~~ am directed to invite attention to BO's rep. A No. 3022/41-1 dated 12.8.41 and ~~request~~ to request that the reply to it may be expedited ~~request that this reminder may be returned at once~~ with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and—

(3) the circumstances which have caused the delay.

Office Bd. of Rev

Station Madras

Dated 6.X.41

Signature. K Ghopalakrishnan 6X41

Designation. Sr. Supdt (LR)

SUBJECT. Local Bds - S. Kanara - Karkal Tk - Belvai Vge - S.Nos 145/1 + 300/1 Failure to repair tem sluice by the L. Bd - loss of crops - rebuilding of sluice -

REPLY.

To The Secretary to the Board, L. R. Dn., Madras.

SOUTH KANARA COLLECTOR'S OFFICE. 8 OCT 1941 No.

Sir,

The reference in question ~~is~~ pending with the President, District Board, S. Kanara and he has been requested to expedite his reply. I shall submit my report on the receipt of his reply.

Your obedient servant,

11/10/41 For Collector

6

TO AS (L R).

This may be added on to the file and the Court remanded on 1.11.41 if necessary.

KG
14.XI.41

D
14/11/41

ER | 3.11.41 | KG 3/11 | 23/3/11

7

SECY.
6-NOV.1941
D-0-1167

1848 E/41-3.

Revenue Secretary's Office,
Fort St. George,
Dated the 5th November 1941.

My dear Venkateswaran,

Assessment - Land Revenue - (South Kanara) - Karkala taluk - Balvai village - S.Nos.145/1 and 300/1 - Reduction - Failure on the part of the District Board South Kanara to repair the sluices.

Government Endorsement No.1848 E/41-2, dated 4th August 1941.

I am to enquire when a reply to the Government Endorsement quoted above may be expected.

Yours sincerely,

5-11-41

To

S. Venkateswaran Esq., I.C.S.,

Secretary, Board of Revenue.

P.R.N.

8

D.O. No. 1003 B/ 10-11-41

S
Asst P.

My dear Platt

Assessment - Land revenue - (S. Kanara) - Karkal & TK
Balvai village - S nos 145/1 & 300/1 - reduction -
failure of the D.B. to repair the sluice
Your D.O no 1848 E/41-3 of 5.11.41.

TK 1 TDR
10/11/41

I am to state that the report of the Collr. has not been received. He ~~has been~~ was last reminded on 3-11-41 ~~twice~~. The BO's report will be submitted soon after the Collr's reply is received ~~& considered~~

pbg

DESP[illegible]E
10 NOV 41

Yours sincerely,

S 8.11.41

Pl. see obs for 1
10/11/41.

3/11/41 Rly To
7/11/41

A. J. Platt Esq. I.C.S
Under Secy. to Govt, Rev Deptt.

SSM
11
S 11/41

9

C.F. 32.

In reply, please quote number, date and short title.*

_____ DEPARTMENT.

Received ..... *Registered* .....

From (Name) M.V. Subrahmanyan Esq.,I.C.S.,

(Designation) Collector of South Kanara.

Post Box ....., (Station) Mangalore

Telegraphic Address .....

OF THE BOARD OF REVENUE
15 NOV 1941
A4586
MADRAS

To

The Secretary to the Board,
Land Revenue & Irrigation,
M a d r a s.

D.Dis.*No*5740-41, *dated* 12-11-41. -104

Sir,

Enclosures .....

.....

.....

Spare Copies ..... pp 4 cf

Assessment - Land Revenue -(South Kanara District)- Karkal Taluk - Belvai village - S.Nos. 145/1 and 300/1 - Reduction -failure on the part of the Dt. Board, South Kanara to repair the sluice -petition from Manjunatha Bhagavatha Sri (K) - Report submitted.

Ref: Board's Ref.A.No. 3022-41-1 dated 12-8-41.

A copy of the Board's reference cited above was communicated by me to the President, Dt. Board, South Kanara, on 21-8-41 for remarks with the connected records, if any. He was also requested to state why the sluice in question has not so far been rebuilt as directed in para 2 of G.O.No. Ms. 1803 Revenue, dated 27-7-40 communicated with B.P. Mis. No. 2142 dated 9-8-40. In reply to this reference, the President, Dt. Board, South Kanara, has now sent up his letter L.Dis.No. 19297-41 dated 28-10-41, which is addressed to the Secretary to Government, Revenue Department, through the Board. His letter in original is enclosed. He has not, however, chosen to send up any of the connected records in the matter.

pp 48-50 cf (G)
p 54 cf (G)
pp 11-12 cf

2. The history of this case is contained in this office records herewith submitted. I invite the attention of the Board particularly to this office reports D.Dis. 91-40 dated 20-3-40 and D.Dis. 2527-40 dated 6-6-40 submitted in reply to the Board's references F.Nos. 3143-39-3 dated 14-12-39 and 3143-39-4 dated 4-4-40 respectively. The report first cited above deals

pp 7-14 cf (M)
pp 13-14 cf (V)
pp 25-26 & 32 cf (G)

with all the facts of the case in detail after a through investigation based on the result of a careful local enquiry and inspection held by both the Tahsildar and the Revenue Divisional Officer in the presence of the Local Fund Section Officer also. My successor (Sri Rao Bahadur V. Ponnuswami Pillai) after holding a local inspection, also agreed with me that the petitioner has a real grievance and that he is entitled to insist on the Dt. Board rebuilding the sluice in question as it was damaged while widening the road by the Dt. Board. In para 2 of G.O.No.Ms. 1803, Rev. dated 27-7-40, the President, Dt.Board, South Kanara, was accordingly requested to take steps to rebuild the sluice so as to ensure a free flow of water from the tank to the petitioner's fields in S.Nos. 145/1 and 300/1 of Belvai village.

3. The President, Dt.Board, however, now states in his enclosed letter that the Dt.Board Engineer, South Kanara, on a local inspection had found that the right of water-taking by the petitioner was not at all interfered with by the Board and that there was, therefore, no need for the Board to rebuild the sluice out of the Board's funds.

4. After the Government had passed specific orders on a consideration of this office reports cited above, it was quite unjustifiable on the part of the Dt.Board, relying on a report made by the Dt.Board Engineer to refuse to give effect to the orders of the Government. I suggest that the Dt.Board may be directed to give effect to the orders forthwith and that if the Board fails to do so, action may be taken under section 41 of the Madras Local Boards Act to have the work performed at the cost of the Dt.Board.

5. The following connected records are enclosed:

1. This office D.Dis.8363-38 dated 4-1-39.
2. " D.Dis. 1010-39 dated 11-2-39.
3. " D.Dis. 4708-39 dated 12-7-39.
4. " D.Dis. 91-40 dated 20-3-40.
5. " D.Dis. 2527/40 dated 6-6-40.
6. " D.Dis. 5557/40 dated 15-8-40.

For Collector.

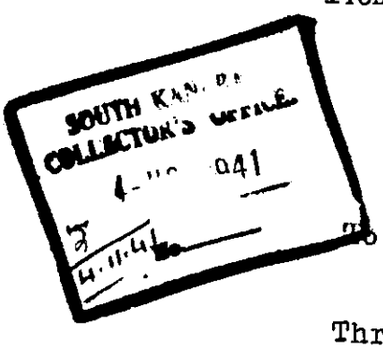
12.XI.40.

CF. 32.

_____ DEPARTMENT.

In reply, please quote number, date and short title.

Received _____ *Registered* _____



From (Name) Sri K.Vittal Shetty,

(Designation) President,District Board,S.Kanara.

Post Box _____, (Station) Mangalore.

Telegraphic Address _____

To The Secretary to Government,
Revenue Department, M a d r a s.

Through the Board of Revenue, Madras, &
the Collector,South Kanara.

L.Dis.*No.* 19297/41 *dated* 28-10- 1941.

Sir,

Enclosures _____

_____

_____

Spare Copies

Land - Karkal Taluk - Belvai village - S.Nos. 145/1 and 300/1 - reduction in extent -appeal petition of Sri K.Manjunath Bhagavatha- replies called for - furnished.

Reference :- Government endorsement No. 1848 E/41 -2 dated 4-8-1941.

It is ~~time~~ true that the request of the petitioner was not complied with, for the reasons stated in my endorsement L.Dis. 4218/41 dated 17-6-1941.

2. The Government had, no doubt, in their order No. Ms. 1803 Rev. dated 27-7-1940 directed the District Board to rebuild the sluice so as to ensure a free flow of water from the tank to the land of the petitioner.On a personal inspection by the District Board Engineer South Kanara, it was found that the right of water_taking by the petitioner was not at all interfered with by the Board and that as such, there was no need for the Board to build a sluice out of the Board's funds just to satisfy a private wargadar.

3. The road width at the site has been extended by 4 feet and a revetment constructed to avoid landslip, but this has not diminished or interfered with the petitioner's water supply.

4. The main irrigation source for both the plots in question is from a culvert further north,

P.T.O.

12

and not from the site where the road is widened, It appears to me that the petitioner wants to improve his irrigation -- facilities at the cost of the Board, but this is not desirable in the public interest.

PRESIDENT,
Dt.Board,S.Kanara.

DJK/1.11.41.

1.11.41

SECY.
28 NOV 1941
D-O-1230

13

D.O.No.1848 E/41-5.

Revenue Secretary's Office,
Fort St. George,
Dated the 26th November 1941.

My dear Venkateswaran,

Assessment - Land Revenue - (South Kanara) - Karkala taluk - Balvai village - Reduction - Failure on the part of the District Board, South Kanara to repair the sluice

Petition of Sri Manjunatha Bhagavatha, dated 6th July 1941
Government Endorsement No.1848 E/41-2, dated 4th August 1941 and your D.O. reply to reminder No.1003 dated 10th November 1941.

The Collector of South Kanara reports that he has sent his report to the Board on 12th November 1941. I am to enquire when the Board's report to the Government may be expected.

Yours sincerely,

A. Pollard

To S. Venkateswaran Esq., I.C.S.,

Secretary, Board of Revenue.

P.R.N.

28.11.41.

14

D. O no:- 1082 डी/41241 =

5
AS(LR)
1.20

My dear Platt,

Assessment- Land revenue-(S. Kanara)- Harbala TK:- Belvai Vge - reduction- failure on the part of the Dl. Bd. to repair the sluice.

Your D.O - ? 1848E/41-5 dt 26.11.41.

overleaf

=

I am to state that the report of the Collr is under consideration and that the BD's report will be submitted ~~in due course~~ as soon as possible.

Yours sincerely,

S 3.12.41

MG/TLV
4/12/41

3.12.41

4/12/41

Issue Today
2/12

GA
There is an AFM in the month

TO A.J. Platt Esq. I.C.S
Under Secy to Govt
Rev Deptt.

4-DEC-1941

Rev Dept @2.30

Departmentally
8/12

Sanction
8/12
10:45 A 9/12

DES
10 JEO +1

15

(JBB)

Local Bds (S.Kanara) Karkal TK -
Belvai village - S nos 145/1 & 300/1
Failure to repair the sluice
by the Dt. Bd - loss of crops -
rebuilding of sluice.

pp 1-4 cf

From the Rev Deptt Sndt no 1848-E/41-2
dt 4-8-41 (A)

pp 9-12 cf

" Roll of S.Kanara D Bds 574041
12/11/41

Issue
8/12

Ref A-3022-41-2 dt 8-12-41 (A)

The Board agrees with
& submits
the Collr/that the Dt. Bd may
be directed to give effect to the
orders issued in GO. no MS. 1803
Rev dt 27-7-40 within a period to
that
be fixed by Govt and if it defaults,
under Section 41 of the M.L.B. Act,
action may be taken to get the
work executed at the cost of the Dt. Board
~~under the power~~
~~vested in~~
~~provisions of § 41 of the M.L.B. Act~~

p 48 cf (G)

p 662 BK (25)

8/12

TO
The Secy. to Govt,
Rev Deptt

8/12/41

EA to Govt / 9.3 42

A 1261E R Staff 17

Revenue Department. 11342

C.F. 98.

REMINDER. (L.R.) *Branch.*

To The Secretary to Govt. Rev Dept

I ~~have the honour to invite~~ / ~~am directed to invite~~ attention to BOR's refee No. 3022-41-2, dated 8.12.41 and ~~to request that the reply to it may be expedited~~ / the favour of orders ~~equest that this reminder may be returned at once~~ with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) ~~the circumstances which have caused the delay~~.

Office Bd of Rev (LR)

Station Madras

Dated 9-3-42

Signature.

Assistant Secretary

Designation.

SUBJECT. Bd. of Rev (LR)

Local BOs (S. Kanara) - Kankal TK - Belvai village - S nos. 145/1 & 300/1 Failure to repair the sluice by the Dhobi - loss of crops - retrieval of sluice -

REPLY.

To The Secretary Board of Revenue.

SECY.

BOARD OF REVENUE 14 MAR 1942

The orders will be issued shortly.

Under Secretary to Govt Revenue Dept

12/3/42

12/3

12/3/42

19

GOVERNMENT OF MADRAS

Received.....1942. Registered....SECY.1942.

16 MAR 1942

Abstract.

Irrigation - South Kanara - Karkal taluk - Belvai village - L.B. No. 145/1 and 300/1 - Interference of the District Board with water supply - Repair of sluice - Orders passed.

Revenue Department.
G.O. Ms. No. 668, dated 13th March 1942.

Read the following:--

G.O. No. 1803, Revenue, dated 27th July 1940. p48 of (E) — p3-4 of
From Sri K. Manjunatha Bhagavatha, petition, dated 6th July 1941.
From the President, District Board, South Kanara, L. Dis. No. 19297/41, dated 28th October 1941. p11-12 of
From the Board of Revenue, Reference A. No. 3022/41-2, dated 8th December 1941. p15 of

---

O r d e r:--

The Government consider that the sluice mentioned in paragraph 2 of G.O. No. 1803, Revenue, dated 27th July 1940 p48 of (E) should be re-built afresh, to ensure a free flow of water and that this should be done at the cost of the Government. The execution of the work will be entrusted to the District Board, South Kanara, which should take steps to execute the work after getting an estimate for the work prepared by its Engineering Department and sanctioned by the Government. The estimates should be submitted through the Chief Engineer (Buildings and Roads) (Communications).

2. The Chief Engineer (Buildings & Roads) (Communications) is requested to direct the Superintending Engineer (Communications) (Southern Circle) to inspect the work mentioned in paragraph 1 above after its completion and to submit a report to the Government through the Chief Engineer.

3. After completion of the work and inspection by the Superintending Engineer, the President, District Board, should apply to the Government for a grant equal to the actual cost of the work done.

(By Order of His Excellency the Governor)

A.R.C. Westlake,
Secretary to Government.

DESPATCHED
24 MAR 1942

To
The President, District Board, South Kanara, through the Local Administration Department.
The Local Administration Department.
The Chief Engineer (Buildings & Roads) (Communications), through the Public Works Department, with enclosure.
The Accountant-General, through the Finance Department, with enclosure.
The Board of Revenue.
Sri K. Manjunatha Bhagavatha, s/o Annappa Bhagavatha, residing at Salmar, Karkal village, Karkal taluk, South Kanara District.

A 1111-42 — (A)
Subj:- Same as above
Reso (Rev) 762 dt 20.3.42
Communicated to the Collr. of S. Kanara with a copy of this forwarded. D. Dis No. 5740-41 dt 12.11.41

(True copy)
/By Order/

Superintendent. 14/3

A.Ch. 13/iii.

To the Collr. of S. Kanara (with 2 spare copies)

GOVERNMENT OF MADRAS.

Abstract.

Irrigation - (South Kanara) - Karkal taluk - Belvai village - S.Nos.145/1 and 300/1 - Repair of sluice - Revised estimates - Sanctioned.

Revenue Department.

G.O.No.Ms.2014 dated the 9th October 1944.

Read the following:-

G.O.No.668 Revenue, dated 13th March 1942.

G.O.No.1645 Revenue, dated 30th April 1943.

From the Chief Engineer (Communications), Endt. No.13484/44-2-C, dated 13th September 1944.

*****

ORDER:-

The revised estimate as for Rs.1,562/- (Rupees one thousand five hundred and sixty two only) submitted with the Chief Engineer's Endorsement read above for the reconstruction of the sluice sanctioned in G.O.No.668 Revenue, dated 13th March 1942, is approved.

(By Order of His Excellency the Governor).

V. S. Hejmadi,
Secretary to Government.

To

The Chief Engineer (Communications), (with estimates in original)
" President, District Board, South Kanara, through L.A.D.
" Board of Revenue.
" Collector of South Kanara.
" Accountant-General through Finance.

I.S.(9).- This current relates to 'A' section as ----- previous papers on the subject were dealt with by them. This may be transferred to 'A' section for necessary action.

P.R.N.9/10.

(True Copy)

Forwarded/By Order.

Superintendent.

Form of Application for

Major, minor and sub-heads of account and sub-heads of appropriation, primary and secondary.	Appropriation and progress of		
	Amounts as in the sanctioned estimate. (2)	Actual expenditure up to the end of Decr., 1938 (3)	Probable ture du mainder of (4
Heads of estimate proposed to be increased.	RS.	RS.	RS
Works Expenditure Chargeable to Revenue.	Nil	9,900	9,9
Heads of estimate proposed to be reduced.	RS.	RS.	RS
II.B.a.1. Maintenance and other charges:			
Maintenance and miscellaneous expenses including workcharged establishment.	14,000	17,090	2,9
	14,000	17,090	12,8

NOTE.—Column (2) should always show the amounts as in the Civil Budget Estimate; but all reapprop authority up to the date of the application should also be entered in this column by means of *minus* or *plus* figures w

Note to I-A

This current relates to 'h' section
This also quotes B.P. Secy 762 x/ 20-3-43
may be send to that section d.o.

18/5/43.

18/5.

Supdt 'h'

M 19520

To d Section.
Maistan.

(Necessary action has been taken vide
D 2863/43 dated the 22nd May 43)

Recorded & Checked

H.S. (I)

Agreement as p/ 1 cf

Go No 16 45/43 p. 1 cf.
30/4/43 Revise

The Collector is invited to the last (E)
sentence of the Go read above, and he is requested to
send a report after the work is completed

4/22/5

Note
pending no Go as p/4 cf (max)
the Supdt Engineer has signed the

(K F D)

K4
2) V43

To

Stonehouse Hill. 21

GOVERNMENT OF MADRAS.

Abstract.

IRRIGATION - (South Kanara) - Karkal taluk - Belvai village S.No.245/1 and 300/1 - Interference of the District Board with water supply - Repair of sluice - Estimates - Sanctioned.

THE BOARD OF REVENUE 11 MAY 1943 MADRAS

Revenue Department.

G.O.No.1645, dated the 30th April 1943.

Read the following:-

G.O.No.668, Revenue, dated 13th March 1942.

From the Chief Engineer (Communications), No.5369/42-8-B/6, dated 29th March 1943.

ORDER:

The revised estimate for Rs.830/- (Rupees eight hundred and thirty only) submitted with the Chief Engineer's letter quoted above for the reconstruction of the sluice sanctioned in G.O.No. 668, Revenue, dated 13th March 1942 is approved. The work should be carried out in accordance with the instructions in G.O.No.668, Revenue, dated 13th March 1942 and a report should be submitted to the Government after completion of the work as ordered in paragraph 2 of that Government Order.

(By order of His Excellency the Governor)

V.S. Hejmadi,
Secretary to Government.

To the Chief Engineer (Communications) (with the estimates in original).
To the President, District Board, South Kanara, through Local Administration Department.
To the Board of Revenue.
To the Collector of South Kanara.
To the Accountant-General through Finance.

(True copy) Forwarded. (By order)

30/4/43
Superintendent.

VRN.30/4.

AS(LR)

Local Boards - (S. Kanara) - Karkal Tk - Belvai village. Snos 145/1 & 300/1 Failure to repair the sluice by the Dt Bd. loss of crops - rebuilding of sluice - ~~requested~~

Ⓖ

Pp 1-4 cf

F 3022/41 From the Rev Deptt Endt no 1848-E/41-2 dt 4-8-41

TO AS(L R)

This may be forwarded to the Collr for report in consultation with the Pt. Dt. Bd. Draft submitted at p4 cf.

CB 11-8

KG 7/11/41

16/8/41

From the U.Secy. to Govt Rev Deptt D.O.No 1848 E 41-3/6 11/41

S/A (LR)

TO AS(LR)

A D.O reply is submitted at p8 cf.

KG 7/11/41

S AS/11/41

M3 AS(LR)

From the Rev Deptt Endt no 1848-1-41-2 dt 14-8-41

p1 cf

p3 cf

Issued as BDs notice A 3022/41-1 dt 12-8-41

pp 9-10 cf

From the Collr of S. Kanara D.Dis 5740/41 B 12 11/41

TO AS(LR)

1 cf

The Govt have called for the BDs remarks on the petition at pp 2-3 cf

wherein it has been represented that the Dt. Bd has not taken up the work of rebuilding the sluice with reference to the orders issued in Govt. of G.O no 1803 Rev 127.7.40. The circumstances leading to the issue of the above G.O are briefly narrated below:- p3 of para 2 of pp48-56 of (G) —do

The petitioner owns R.S no 145/1 and 300/1 of Belvai village in Karkal Tk. At the Re-sett, an extent of 70 cents in R.S no 300/1 was transferred from Dry to wet I. The petitioner preferred an appeal to the S.A.S.O requesting the reduction of the area reclassified as wet and its re-classification from I to III, but it was rejected. Thereupon the aggrieved the Collr and subsequently the Bd and being unable to get his grievances redressed came up with a memorial to the Govt. p17 of (G) p18 of (G) p18 of (G) pp1-7 of (A) p17 of (A) pp3-12 of (G)

The complaint of the petitioner was that the Dt Bd has, by widening the road in S.No. 149 of Belvai Vge interfered with one of the tanks from which he had to irrigate his lands, and blocked up one of the culverts through which water flowed to his fields. The result was that the 2nd crop in s no 145/1 partially suffered and that a second crop in R.S no p1 4-5 of (G) paras 3 & p9 of (G) para -

failed and that a second crop in R.S no

pp28-31 of (G)

Ex: M.V. Subramaniam's report was based on the report of the Taluk & Dt. officers inspection
M.V. Ponnuswamy Pillai's report was based on his personal inspection of the fields [pp34-35 of (G)]

pp 30-31 of (G) & pp34-35 of (G)

300/1. could not be raised. Two successive Collrs were of opinion that it was not possible to restore the tank to its original size without impairing the utility of the road. They however held that the sluice leading from the tank was damaged while widening the road which affected the free flow of water to the petitioner's fields and that he was entitled to insist on the Dt. Bd. to rebuild the sluice. Basing on these reports the Board ~~recommend~~ addressed the Govt. who in their order on 27.7.40 directed that the Dt. Bd. should rebuild the sluice.

pp48-50 of (G)

The petitioner now represents that the Dt. Bd. has not repaired the sluice as ordered by the Govt and that when the Bd was reminded in the matter, he was informed that the Dt. Bd. had not interfered with the sluice in question and that the petitioner might put up a fresh sluice at his own cost if one is found necessary to improve irrigation. The petitioner ... requests the Govt that the Dt. Bd may be asked to take up the work of re-building the sluice immediately.

¶ 3 of ¶ 2 ...

¶ 4 of para 8

From para 3 of the Coll's letter it will be seen that the Dt. Bd has been assuming an attitude of indifference to the orders passed by govt. The P.D.B states that on a personal inspection of the lands by the D.B.E, it was found that the right of taking water to the petitioner's fields was not interfered with. If the Dt.

¶ 10 of

pp 48-50 of (G)

¶ 11 of para 2

3d was satisfied that there was no
justification in rebuilding only the sluices
out of its own funds (as desired by Govt) & stoned have
addressed the Govt in the matter on
receipt of their order dt 27.7.40. ~~The~~ G
alternative difference displayed connected with
the failure to furnish the connected
records to the Coll ~~in spite of several~~
~~requests~~ do not reflect well on the attitude
of the ~~Addl~~ local Bd. It is a well known
fact (as revealed from the reports of
the Coll) that the sluice was damaged
by the Dt Bd while widening the road
and ~~in the face of the orders of the Govt~~
~~directing the Dt Bd~~ ... the Distt Bd
cannot escape its liability to rebuild
the sluice in the face of the Govt orders.

The Coll has suggested that the
Dt Bd may be directed to give effect
to the orders of Govt failing which
action may be taken under § 41 of the Local
Bds Act. The Bd may agree with him &
suggest this course to the Govt if the Dt Bd
fails to complete the work with a period
to be specified by Govt. For orders.

Para 5 p. 35 of ~~R~~ N p. 36 of G
of may be perused. ...

~~N~~ may be approved. Sd

29-11-41
1. XII 41

CM
3. XII. 41

Jls
d
7.XII.

M3

Encl p. 1 ~~of~~ Postcard

pp 48-50 of G

p 9 of para 1 & p 35 of para 6 G

pp 30 & 35 of G para 5

pp 48 & 50 of G

p 10 of para 4

p 652 Para 35

N

ABC(LR) 4 DEC 1941

To AS(LR)

Draft submitted

1/S/6.XII

2/5/12/41
2/5/12

fj 1-4 cf

From the Rev Deptt Endt no 1848 E/41-2 dt 4.8.41
Collr of S Kanara D Dis 5740-41
dt 12.11.41

·12 cf

Issued as BD's reference A no 3022-41-2 dt 8/12/41

p15 cf

From the Rev Deptt GO MS no 668 Rev/13.3.42
T.O. As (L R)

p19 cf

The Govt while agreeing with the Bd that the sluice should be rebuilt, ~~consolidated~~ directed that this should be done at their (Govt) cost through the agency ~~and have directed the PDB to apply for a grant equal to the actual cost of the work done.~~ of the Dt Board.

The GO may be communicated to the Collr. Draft submitted at p19 cf

dt 20.3

K2
18/3/42
K4
18/3/42

ASC(L)

B.P. No. Tls 762
Dated 25/3/42

Single Member
~~Two Members~~
~~Full Board.~~

1-A.	A.D.S. & L.R.	Assistant Secretary				J.S.	Secy.	M. 3	M. 2	M. 1
		L.R.	Irrigation	Sep. Rev.	C.T.					
								✓		
1. Open file seen by		✓								
2. Final draft seen by		✓								
3. Now circulated to		✓								
4. Initials										

Passed for record. KH 26/3/42

Secretary

Joint Secretary.

A.S. (L.R.) 26.3

25/3/42

A.S. (Irrgn.)

A.S. (Sep. Rev.)

A.S. (C.T.)

A.D.S. & L.R.

1-A.

Note.- Entries not required to be scored out.